

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Atty's Dkt: PHADTARE1.1A
 Sangita PHADTARE) Application Division
 Serial No. 10/506,778) ATTN: PCT
 IA Filing Date: March 7, 2003) Washington, D.C.
 For: EFFECT OF TREATMENT WITH 4,5-DIHYDROXY...) Confirmation No.: 3527
 Date: June 1, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

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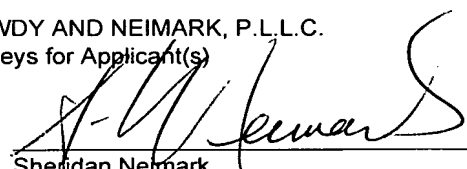
Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 4, 2005. Attached hereto is/are:

- [XX] Two (2) declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information, and priority information were previously submitted on September 7, 2004. Duplicate copies are filed herewith.
- [] A Preliminary Amendment [] Fees are reduced due to elimination of multiple dependency
- [XX] Listing (hardcopy), and computer-readable form of Sequence Listing.
- [XX] An Information Disclosure Statement with 08A-1449 and 5 references.
- [] Application Data Sheet.
- [] Applicant claims small entity status. See 37 C.F.R. 1.27
- [] An exact English language translation of the PCT application as originally filed.
- [] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages ____ of the specification and new claims ____ to be used for examination.
- [] English translation surcharge in the amount of: \$ 130.00
- [] Surcharge for late filing of the Declaration in the amount of:
- | | |
|--------------|-------------------------|
| Small Entity | Other than Small Entity |
| [] \$65.00 | [] \$130.00 |
- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | | |
|-----------------------------|-----------------------------|
| Small Entity | Other Than Small Entity |
| Response Filed Within | Response Filed Within |
| [] First - \$ 60.00 | [] First - \$ 120.00 |
| [] Second - \$ 225.00 | [] Second - \$ 450.00 |
| [] Third - \$ 510.00 | [] Third - \$1,020.00 |
| [] Fourth - \$ 795.00 | [] Fourth - \$1590.00 |
| [] Fifth - \$1,080.00 | [] Fifth - \$2,160.00 |
| month after time period set | month after time period set |
- [] **Total Fees enclosed: \$000.00**
- [] **Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$000.00 is enclosed to cover the above fees.**
- [XX] Conditional Petition for Extension of Time:
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:


 Sheridan Neimark
 Registration No. 20,520

SN:ses

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FILED: _____

APPLICANT(S): S. Phadtare et al.

THE PATENT AND TRADEMARK OFFICE STAMP HEREON
ACKNOWLEDGES RECEIPT OF THE ABOVE-IDENTIFIED
APPLICATION, INCLUDING THE FOLLOWING PAPERS:

☒ FEES \$ 1594 ☒ (GH.# PTO2038)

☐ PCT APPLICATION

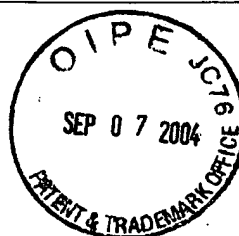
- ☐ TRANSMITTAL LETTER REQUEST
- ☐ FEE CALCULATION SHEET
- ☐ SPECIFICATION (_____ pages)
- ☐ DRAWINGS (_____ sheets; _____ figures)
- ☐ SEQUENCE LISTING ☐ WITH DISK
- ☐ APPOINTMENT OF AGENT
- ☐ PCT EASY DISKETTE
- ☐ INVITATION TO CORRECT DEFECTS
- ☐ REQUEST FOR RECTIFICATION
- ☐ DEMAND FOR CHAPTER II
- ☐ ARTICLE 34 AMENDMENTS
- ☐ RESPONSE TO WRITTEN OPINION

☒ U.S. NATIONAL PHASE OF INTERNATIONAL APPLICATION

- ☒ TRANSMITTAL LETTER
- ☒ DECLARATION (4 pages)
- ☒ APPLICATION DATA SHEET
- ☐ PRELIMINARY AMENDMENT

☐ OTHER _____

DOCKET NO.: PHADTARE1.1A 1 of 2
PCT APPLN. NO.: PCT/US2003/007081



- ☐ SUPPLEMENTAL PRELIMINARY AMENDMENT
- ☒ INFORMATION DISCLOSURE STATEMENT (4 pages)
 - ☒ FORM 1449 (2 pages)
 - ☒ 2 PATENTS AND/OR PRINTED PUBLICATIONS
- ☒ SEQUENCE LISTING ☐ WITH DISK
- ☒ COURTESY COPY:
 - ☒ SPECIFICATION (34 pages)
 - ☒ DRAWINGS (1 sheets; 3 figures)
- ☒ 1ST PAGE INTERNATIONAL PUBLICATION
- ☒ INTERNATIONAL SEARCH REPORT
- ☒ IPER ☐ WITH ☐ WITHOUT ANNEXES
- ☐ ENGLISH LANGUAGE TRANS OF SPECIFICATION AS FILED
- ☐ ENGLISH LANGUAGE TRANS OF ANNEXES TO IPER
- ☐ SUBSTITUTE SPECIFICATION



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10 Nov 2004 PTC 01 JUN 2005

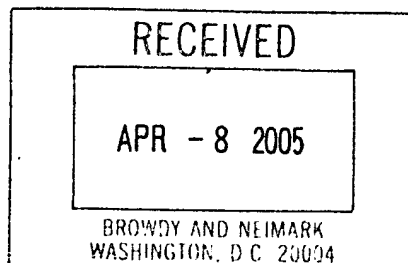
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U.S. APPLICATION NUMBER NO. 10/506,778	FIRST NAMED APPLICANT Sangita Phadtare	ATTY. DOCKET NO. PHADTARE1.1A
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INTERNATIONAL APPLICATION NO. PCT/US03/07081	
LA. FILING DATE 03/07/2003	PRIORITY DATE 03/13/2002

001444
 BROWDY AND NEIMARK, P.L.L.C.
 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303



CONFIRMATION NO. 3527
 371 FORMALITIES LETTER

 OC000000015643272

Date Mailed: 04/04/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Copy of IPE Report filed on 09/07/2004
- Information Disclosure Statements filed on 09/07/2004
- Biochemical Sequence Listing filed on 09/07/2004
- Request for Immediate Examination filed on 09/07/2004
- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Priority Documents filed on 09/07/2004

MSP-04JE2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and

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a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,778	PCT/US03/07081	PHADTARE1.1A

FORM PCT/DO/EO/905 (371 Formalities Notice)

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